

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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FERNANDO HERNANDEZ, et al.,

Plaintiffs,

- against-

THE FRESH DIET INC., et al.,

Defendants.
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ORDER

12 Civ. 4339 (ALC) (JLC)

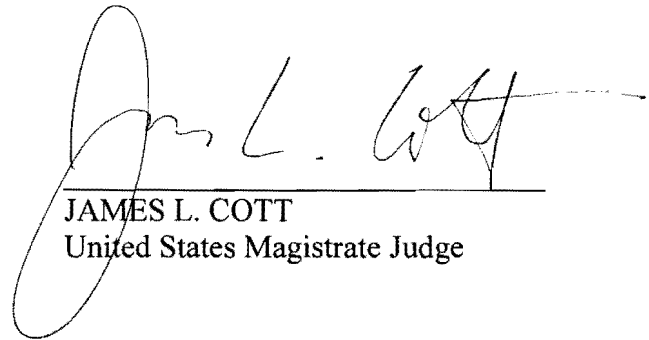
JAMES L. COTT, United States Magistrate Judge.

By letter dated September 12, 2013, the parties jointly request a further extension of the discovery deadline, which is currently set for September 25, 2013. By order dated June 28, 2013 (Dkt. No. 102), and reiterated in its order dated August 20, 2013 (Dkt. No. 109), the Court set a September 25 discovery cut-off and indicated that, "absent good cause shown," the Court will not extend the discovery period again. The September 12th letter from the parties does not attempt to justify the extension request, other than to advise the Court what deposition discovery remains to be scheduled. It does not explain, for example, why these depositions could not have taken place between the end of June and the end of September. While the Court is otherwise inclined to deny the request, the Court had previously indicated that it would extend the discovery period for the Duchman deposition in early October, and given that his deposition is now proceeding on October 8, the Court will grant, in part, the request to extend discovery, but only until **October 11, 2013**. The conference scheduled for September 27 is adjourned until October 15, 2013 at 2:30 p.m. in courtroom 21-D. The Court will not entertain any further requests for an extension of the discovery period.

The parties are reminded that, under the undersigned's Individual Rules of Practice (as amended on September 6, 2013) and in accordance with the S.D.N.Y. Electronic Case Filing Rules and Instructions, all requests for extensions of time are to be made by letter-motion (not by letter faxed to chambers). See Individual Practices § I.E.

SO ORDERED.

Dated: September 13, 2013
New York, New York



A handwritten signature in black ink, appearing to read "J. L. Cott", is written over a horizontal line. Below the line, the name and title of the signatory are printed.

JAMES L. COTT
United States Magistrate Judge